

UNITED STATES DISTRICT COURT

for the
Western District of Texas

FILED

JUN 02 2015

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature] DEPUTYIn the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

Black Alcatel OneTouch MEID: 270113183512885074

Case No. 10:15-MJ-239

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Black Alcatel OneTouch MEID: 270113183512885074

located in the Western District of Texas, there is now concealed (identify the person or describe the property to be seized):

Images and videos of minors in sexually explicit conduct.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☐ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section

Offense Description

Title 18, U.S.C., 2251(a) Production of Child Pornography
 Title 18, U.S.C., 2252(a)(4) Possession of Child Pornography

The application is based on these facts:

See attached affidavit.

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

[Signature]
Applicant's signatureBrendan C. Griffin, Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: 06/02/2015[Signature]
Judge's signatureCity and state: Midland, TXDavid Counts, United States Magistrate Judge
Printed name and title

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In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

Black Alcatel OneTouch MEID: 270113183512885074

Case No.

MO:15-MJ-239

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the Western District of Texas
(identify the person or describe the property to be searched and give its location):

Black Alcatel OneTouch MEID: 270113183512885074

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (identify the person or describe the property to be seized):

Images and videos of minors in sexually explicit conduct.

YOU ARE COMMANDED to execute this warrant on or before 6/16/15 (not to exceed 14 days)
☐ in the daytime 6:00 a.m. to 10:00 p.m. ☒ at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to David Counts, United States Magistrate Judge
(United States Magistrate Judge)

☐ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box)

☐ for days (not to exceed 30) ☐ until, the facts justifying, the later specific date of .

Date and time issued: 6/2/15 @ 8:57 am


Judge's signature

City and state: Midland, TX

David Counts, United States Magistrate Judge
Printed name and title

AO 93 (Rev. 11/13) Search and Seizure Warrant (Page 2)

Return

Case No.:

Date and time warrant executed:

Copy of warrant and inventory left with:

Inventory made in the presence of :

Inventory of the property taken and name of any person(s) seized:

Certification

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date: _____

*Executing officer's signature*_____
Printed name and title

United States of America

Search Warrant

V.

Jesus Gonzalo OLIVAS-GALLEGOS

I, Brendan C. Griffin, Special Agent with the Federal Bureau of Investigation, having been duly sworn, do depose and state the following.

I am a Special Agent with the Federal Bureau of Investigation (FBI), El Paso Division, Midland Resident Agency. For the purposes of this application, your Affiant is a federal law enforcement officer under applicable provisions of the United States Code under Rule 41(a) of the Federal Rules of Criminal Procedure. I have been employed by the FBI since June of 2004. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. I have not included every known fact in this investigation, rather only these facts necessary to establish probable cause.

On 05/20/2015, I spoke with Deputy Carl Guertin, Winkler County Sheriff's Office (WCSO), who advised Jesus Gonzalo OLIVAS-GALLEGOS is being investigated for the possession of child pornography contained on his cellular telephone. Deputy Guertin requested FBI assistance in investigating this matter.

On 05/22/2015, I traveled to the WCSO to retrieve all reports and evidence pertaining to this matter from Deputy Guertin, which included a black Alcatel OneTouch cellular telephone. Review of the reports indicated that Adrienne OLIVAS, separated spouse of OLIVAS-GALLEGOS, and Deseria KEITH, girlfriend of OLIVAS-GALLEGOS, brought the black Alcatel OneTouch cellular telephone to the WCSO because they found child pornography images on the telephone.

KEITH indicated in a sworn statement that she was with OLIVAS-GALLEGOS in his work truck when he was pulled over and arrested. (This arrest was unrelated to the investigation of possession of child pornography.) OLIVAS-GALLEGOS' boss, Jennifer CLARK, picked up the truck after the arrest. KEITH contacted CLARK to get OLIVAS-GALLEGOS's phone and keys that were left in the truck. KEITH stated while using OLIVAS-GALLEGOS' phone, she noticed an App called Audio Manager, which KEITH indicated is used to hide pictures. KEITH accessed the Audio Manager App and found images of child pornography. KEITH contacted OLIVAS and they decided to bring the phone to the WCSO.

OLIVAS' sworn statement indicated that she had previously turned in a cellular telephone belonging to OLIVAS-GALLEGOS, which contained child pornography, to the Kermit Police Department. As KEITH was showing the application named Audio Manager on OLIVAS-GALLEGOS' phone, OLIVAS recognized the application as being the same one on the phone she turned into the Kermit Police Department. In OLIVAS' sworn statement, she indicated she used to babysit children while she was living with OLIVAS-GALLEGOS. The statement also indicated that KEITH has children.

United States of America

Search Warrant

V.

Jesus Gonzalo OLIVAS-GALLEGOS

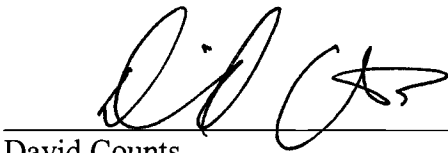
On 05/16/2015, the day after KEITH and OLIVAS turned the black Alcatel OneTouch telephone into the WCSO, Deputy Guertin obtained a search warrant issued in the State of Texas, County of Winkler, for the phone. Deputy Guertin personally observed images depicting children under the age of twelve being sexually assaulted.

Based on the facts described above, the Affiant believes there is probable cause that the black Alcatel OneTouch telephone belonging to OLIVAS-GALLEGOS contains visual depictions of a minors engaged in sexually explicit conduct in violation of Title 18, United States Code, §2252(a)(4).



Brendan C. Griffin
Special Agent
Federal Bureau of Investigation

Sworn to and subscribed before me in my presence on this day
the 2nd of June, 2015.



David Counts
United States Magistrate Judge